

EXHIBIT 11

Murphy, Michael D.

From: Malynn, Todd M. <Todd.Malynn@BlankRome.com>
Sent: Friday, April 4, 2025 10:29 AM
To: Zolliecoffer, Jordan; Beral, Arash
Cc: Murphy, Michael D.
Subject: [EXT] RE: SPAVI Custodians and Search Terms

Jordan, as you know, as we discussed this multiple times, your email below is an incomplete and false retelling of events. The agreed upon sequence of events is that Plaintiff was to circulate the search terms it had already used to gather documents (and was contemplating using to gather additional documents) to comply with the Magistrate Judge's March 12 order. Rather than comply with the agreement, Plaintiff unilaterally tried to change the agreement, to which we objected. The "meet and confer" already had an agreed upon process—involving Plaintiff timely providing the search terms, after which Defendants would review and comment in accordance with the Magistrate Judge's order and, if necessary, for possible hearing today. Plaintiff has unfairly prejudiced Defendants and now is creating a false record. The fallacy of your position is evident by Plaintiff's refusal to comply with its agreement and the Magistrate's order on the RFP's set one, which has built in search terms, as well as subsequent refusal to produce documents in response to RFP's set two.

Regards,
Todd

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From: Zolliecoffer, Jordan <JZolliecoffer@foxrothschild.com>
Sent: Friday, April 4, 2025 10:17 AM
To: Beral, Arash <arash.beral@blankrome.com>; Malynn, Todd M. <Todd.Malynn@BlankRome.com>
Cc: Murphy, Michael D. <mdmurphy@foxrothschild.com>
Subject: SPAVI Custodians and Search Terms

Good Morning Arash and Todd,

A few weeks ago, we asked, on behalf of Plaintiff for you to meet and confer over search terms, and you refused. The purpose of this, of course, was to limit the number of times we go back to our clients and ask them to search for more documents. It is inefficient, disruptive, and leads to duplicates and dreck. The process we recommended was also one that would ensure that each term was the product of thoughtful analysis. You, of course, refused to participate in that face to face meet and confer over search terms, which required us to prepare the list.

Attached, please find the list that is currently being employed during the search for electronic records. We are confident the search terms are broad in scope and will reveal more than the scope of the requests. In fact, these terms have already been revealed to pull too broad a set of documents.

We are open to hearing regarding further terms; however, the addition of new terms should only be done if it will in fact yield a new set of documents responsive to a properly drafted request, or within the limits of requests that were not properly drafted. If you do propose additional terms, we will only consider them if, for each proposed new search term, please tie it to a request or multiple requests, and explain why this search term is necessary and what new documents not pulled by another search term these will yield.

We do not intend to be conducting more than one search unless absolutely necessary. Please let Mike or I know if you have any questions.

Best,
Jordan Zolliecoffer



Jordan Zolliecoffer

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